

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MICHAEL J COLLINS,

Plaintiff,

v.

STATE OF WASHINGTON, et al.,

Defendants.

CASE NO. C13-5444 RBL

ORDER OF DISMISSAL WITH
PREJUDICE

THIS MATTER is before the Court on its own Motion following its prior Order denying pro se Plaintiff Collins' "Motion to proceed with instant case" [Dkt. # 15]. Plaintiff has since filed an additional Reply and an Addendum [Dkt. #s 16 & 17].

Although Collins' filings are difficult to understand, it is clear that the case involves an adverse L&I decision initially made in April, 1995. This is at least the fourth case filed by Mr. Collins seeking to obtain federal review of that decision:

Cause No. 10-5011RBL was dismissed without prejudice by this Court in April 2010.

Cause No. 10-5247RBL was dismissed without prejudice after Plaintiff's application to proceed *in forma pauperis* was denied. The Court denied IFP because it did not have jurisdiction under *Rooker v. Fidelity Trust Co.*, 263 U.S. 413, 415-16 (1923); and *Dist. Of Columbia Court of*

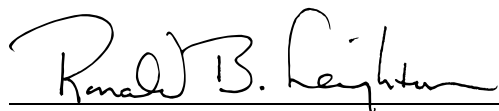
1 *Appeals v. Feldman*, 460 U.S. 462, 486-87 (1983). Plaintiff appealed, and the Ninth Circuit
2 affirmed: “A review of the record and the opening brief indicates that the questions raised in this
3 appeal are so insubstantial as not to require further argument.” [See Dkt. # 12 in that case].
4 Plaintiff’s subsequent effort to obtain review by the Supreme Court was denied.

5 Cause No. 11-5594BHS was dismissed on summary judgment, again because the claims
6 were barred by the *Rooker-Felman* doctrine, and because they were barred by res judicata,
7 collateral estoppel, and the statute of limitations. [See Dkt. #36 in that case.] Plaintiff appealed,
8 and the Ninth Circuit affirmed [Dkt. #39 in that case.]

9 Plaintiff’s filings in this case reveal that he is arguing over the merits of these prior
10 decisions. The claims are facially barred by res judicata: he has had his day in court and he lost.
11 This Court cannot and will not review the propriety of the earlier decisions. This matter is
12 DISMISSED with prejudice.

13 IT IS SO ORDERED.

14 Dated this 24th day of December, 2013.

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17 RONALD B. LEIGHTON
18 UNITED STATES DISTRICT JUDGE
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